From: USN
To: Commander, U.S. SIXTH Fleet

- Subj: COMMAND INVESTIGATION INTO HOTLINE COMPLAINT MADE CONCERNING USS MOUNT WHITNEY (LCC 20)
- Ref: (a) JAGINST 5800.7F (JAG Manual)
  - (b) SECNAVINST 5370.5B (DON Hotline Program)
  - (c) OPNAVINST 5354.1F CH-1 (Navy Equal Opportunity Policy)
  - (d) COMSIXTHFLT OPORD 4000-05, Tab A to App 10 to Ann E (Liberty Risk Program)
- Encl: (1) Commander, U.S. SIXTH Fleet ltr 5830 Ser C6F/674 of 26 Oct 12
  - (2) E-6 and Below #1, Summary of Interview of 29 Oct 12
  - (3) E-6 and Below #2, Summary of Interview of 29 Oct 12
  - (4) E-6 and Below #3, Summary of Interview of 29 Oct 12
  - (5) E-6 and Below #4, Summary of Interview of 29 Oct 12
  - (6) E-6 and Below #5, Summary of Interview of 29 Oct 12
  - (7) E-6 and Below #6, Summary of Interview of 29 Oct 12
  - (8) E-6 and Below #7, Summary of Interview of 30 Oct 12
  - (9) E-6 and Below #8, Summary of Interview of 30 Oct 12
  - (10) E-6 and Below #9, Summary of Interview of 30 Oct 12
  - (11) E-7 and Above #1, Summary of Interview of 29 Oct 12
  - (12) E-7 and Above #2, Summary of Interview of 29 Oct 12
  - (13) E-7 and Above #3, Summary of Interview of 29 Oct 12
  - (14) E-7 and Above #4, Summary of Interview of 29 Oct 12
  - (15) E-7 and Above #5, Summary of Interview of 29 Oct 12
  - (16) E-7 and Above #6, Summary of Interview of 29 Oct 12
  - (17) E-7 and Above #7, Summary of Interview of 29 Oct 12
  - (18) E-7 and Above #8, Summary of Interview of 29 Oct 12
  - (19) E-7 and Above #9, Summary of Interview of 29 Oct 12
  - (20) E-7 and Above #10, Summary of Interview of 30 Oct 12
  - (21) E-7 and Above #11, Summary of Interview of 30 Oct 12
  - (20) E 7 and 12000 H11, Daniellary of Interview of 50 Oct 12
  - (22) E-7 and Above #12, Summary of Interview of 30 Oct 12
  - (23) E-7 and Above #13, Summary of Interview of 31 Oct 12
  - (24) (b) (6), (b) (7)(C) Summary of Interview of 31 Oct 12 (25) CAPT T. R. Williams Suspect's Rights Acknowledgement
  - of 1 Nov 12 (26) CAPT T. R. Williams, Summary of Interview of 1 Nov 12
  - (27) USS MOUNT WHITNEY (LCC 20) Dismissed Case Tracker of 2 Nov 12
  - (28) USS MOUNT WHITNEY (LCC 20) NJP Tracker of 2 Nov 12
  - (29) USS MOUNT WHITNEY (LCC 20) Liberty Risk Matrix of 2 Nov 12

- (30) MTWIHITINST 1050.5D (Liberty/Liberty Risk Program)
- (31) CNO MSG 312047Z OCT 12 (DEOMI Web Services Outage)

# Preliminary Statement

- 1. As directed by enclosure (1), per reference (a), I conducted a command investigation to inquire into the facts and circumstances surrounding allegations regarding: (1) inequality in the conduct of non-judicial punishment and military justice matters in 2012 onboard USS MOUNT WHITNEY (LCC 20); and (2) inappropriate relationships involving members of the USS MOUNT WHITNEY (LCC 20) crew.
- from CNE-CNA-C6F and (b)(6),(b)(7)(C)

  (b)(6),(b)(7)(C)

  , Region Legal Service Office Europe, Africa,
  Southwest Asia assisted me in this investigation. The ship's
  non-judicial punishment tracker did not include all finalized
  and dismissed cases, thus we created enclosures (27)-(28) to
  fully review the consistency of the outcomes. Further, the
  command's Liberty Risk tracker did not contain comprehensive
  documentation of Sailors placed on Liberty Risk. Thus, we also
  created enclosure (29) to fully review the consistency of the
  Liberty Risk program and to document the cases in which Liberty
  Risk Boards failed to comply with the documentary requirements.
- 3. The allegations forming the basis of this investigation stem from a Hotline Complaint made via email to the CNE-CNA-C6F Inspector General. The complaint alleged inconsistencies in the non-judicial punishment and Liberty Risk programs, and fraternization on and off the ship. The complainant requested confidentiality in accordance with reference (b). During the course of the investigation, I interviewed a cross section of the crew regarding the allegations in the matter and offered each of them the same level of confidentiality to encourage candor. I indicated to each crew member that I would keep their name confidential to the fullest extent authorized by law and regulation, but that their name would be used if required to process a Uniform Code of Military justice violation. Several of the witnesses specifically requested confidentiality. As a matter of consistency, I keep all names of interviewees confidential in this report.

- 4. I interviewed twenty-three members of the ship, which represents 15% of the military crew. The interviewees included nine E-6 and below Sailors and thirteen E-7 and above. In the Summary of Interview enclosures, I identified each solely by number, and whether they were E-6 and below, or E-7 and above. This sample size gave me a broad understanding of the general concerns onboard the ship with respect to the investigated allegations.
- 5. During interviews with the crew, two specific areas of concern arose. First, most interviewees commented on the command climate survey process, specifically they believed the ship was overdue for a survey. Second, all but three of the interviewees identified the Commanding Officer as "fraternizing" with a local national girlfriend. As these two areas fell within my chartered investigatory responsibility, I inquired into both areas of concern.
- 6. Upon receipt of the Hotline Complaint, the CNE-CNA-C6F Inspector General requested direction as to disposition of the allegations from the Navy Inspector General. The Navy Inspector General investigation staff advised that all matters were most appropriately investigated by the Chain of Command. The complaint was then closed in the Hotline system. Thus, this investigation was conducted under the authority of Chapter II of reference (a). Given the operational impact of these allegations on the U.S. SIXTH Fleet Command Ship, this investigation was conducted by the Operational Commander.
- 7. No difficulties of a substantial nature were encountered during the course of this investigation. All witnesses were available onboard the ship, or at Naval Support Activity Naples, Gricignano Support Site. Most of the interviews were conducted, and the documentary evidence collected, during an underway period from 28 October 2 November 2012.
- 8. Prior to interviewing Captain Williams, I reviewed his Article 31b rights with him regarding allegations of an improper personal relationship. He acknowledged his rights and chose to make a statement. He was forthright and honest with his answers, thus I determined a summary statement appropriately

documented the interview. My summary of the interview and the warnings provided to him are attached as enclosures (25) and (26).

#### Findings of Fact

#### Background

- 1. Captain Ted R. Williams is the Commanding Officer onboard the USS MOUNT WHITNEY (LCC 20). He assumed command in September 2011 and is scheduled to be relieved in December 2012. [encl (26)]
- 2. Prior to serving as Commanding Officer, Captain Williams served as the Executive officer onboard USS DWIGHT D. EISENHOWER (CVN 69). [encl (26)]
- 3. LCDR Brent Cotton is the Executive Officer and CMDCM John Carter is the Command Master Chief onboard USS MOUNT WHITNEY (LCC 20). LCDR Cotton reported onboard in August 2012 and CMDCM Carter reported onboard in July 2012. [encls (18), (19)]

# Consistency in Non-judicial Punishment and Military Justice Matters

- 4. The USS MOUNT WHITNEY (LCC 20) does not maintain a written non-judicial punishment instruction. However, in almost all cases, allegations are first brought before a Disciplinary Review Board (DRB) chaired by the Command Master Chief. If the DRB recommends the case continue through the process, the allegation is brought before an Executive Officer Inquiry (XOI). [encls (18), (19), (21), (26)]
- 5. The Executive Officer usually discusses each case with the Commanding Officer, but makes an independent determination whether to dismiss the case at XOI, or to forward the allegations to non-judicial punishment. [encls (19), (26)]
- 6. Since assuming command, CAPT Williams has issued non-judicial punishment in twenty cases onboard the ship. [encl (28)]

- 7. During that time, approximately fifteen additional cases have been reviewed and dismissed at DRB, XOI, or a non-judicial punishment hearing. [encl (28)]
- 8. During the interviews, many of the crewmembers questioned whether Sailors received consistent treatment in the non-judicial punishment process. [encls (2)-(11), (14)-(16), (20), (22)]
- 9. Specifically, crewmembers cited the three following cases in particular as receiving unfair treatment: armed top-side rover watchstander cases; two separate cases of fighting; and the specific case of (b)(6),(b)(7)(C) [encls (2)-(8), (10), (11), (14)-(16), (20), (22)]

Top-side Rover Watch standing Cases

10. <b>(b) (6)</b> , <b>(l</b>	o) (7)(C)	, two	improper	watchstanding	allegations	arose
regarding	armed	top-si	de rovers	(b) (6), (b) (7)(C)		
(b) (6), (b) (7)(C						

#### (b) (6), (b) (7)(C)

- 12. The Commanding Officer decided to take responsibility for these incidents because of a lack of appropriate training. He determined that Chief Petty Officers and Antiterroism Tactical Watch Officers (ATTWOs) needed to provide better guidance to junior Sailors. [encl (15), (26)]
- 13. In response to these incidents, the Commanding Officer ordered a training stand-down on top-side roving watchs. [encl (26)]

Sub: COMMAND INVESTIGATION INTO HOTLINE COMPLAINT MADE CONCERNING USS MOUNT WHITNEY (LCC 20) 14. The Commanding Officer also held an all-hands call to address lackadaisical watchstanding. He stressed that (b) (6), (b) (7)(C) proper training had not been in place. He indicated there would be a time for adapting to proper training, and then accountability would resume. [encl (26)] 15. None of the crewmembers interviewed during this investigation remembered exactly what the Commanding Officer said at this all hands call. [encl (16)] 16. Soon after the new Executive Officer arrived in August, allegations of three new top-side rover improper watchstanding cases arose. [encls (19), (27)] 17. **(b) (6)**, **(b) (7)(C)** 18. **(b) (6)**, **(b) (7)(C)** 19. **(b) (6)**, **(b) (7)(C)** 20. **(b) (6), (b) (7)(C)** 

CONCERNING USS MOUNT WHITNEY (LCC 20) 23. **(b) (6), (b) (7)(C)** 24. The Commanding Officer concurred with the Executive Officer's decision. [encl (26)] 25. **(b) (6), (b) (7)(C)** , a new allegation arose regarding a case of improper top-side rover watchstanding. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) [encls (3), (19), (26)] 26. **(b) (6)**, **(b) (7)(C)** [encl (28)] Fighting Cases 27. (b) (6), (b) (7)(C) , allegations arose regarding a fight between two USS MOUNT WHITNEY (LCC 20) Sailors. [encl (27)] 28. **(b) (6)**, **(b) (7)(C)** 29. **(b) (6)**, **(b) (7)(C)** 30 **(b) (6), (b) (7)(C)** on liberty in Gaeta, Italy. [encl (28)]31. **(b) (6)**, **(b) (7)(C)** 

Sub: COMMAND INVESTIGATION INTO HOTLINE COMPLAINT MADE

32. **(b) (6), (b) (7)(C)** 

## 33. **(b) (6), (b) (7)(C)**

- 34. During interviews, several crewmembers complained that the two groups of Sailors were treated differently for similar offences. The crewmembers did not know details about the two different cases, but considered them both "fighting cases." [encls (8), (14), (16)]
- 35. The Commanding Officer and Executive Officer note that they carefully reviewed both cases. Both believed the cases were importantly distinguishable based on three factors: the level of aggressiveness of the second fight, the fact that the second fight occurred in town and thus affected international relations, and the fact that

#### (b) (6), (b) (7)(C

- 36. When asked about inconsistency in treatment during the non-judicial punishment process, many interviewees mentioned (b)(6),(b)(7)(C) as being treated unfairly. [encls (2)-(4), (6)-(8), (11)-(14)]
  - 37. The interviewees cited conversations they had directly with (b)(6),(b)(7)(C) as the basis of their knowledge of the case rather than official feedback from the chain of command. [encls (2)-(4), (6)-(8), (11)-(14)]
  - 38. **(b) (6), (b) (7)(C)**
  - 39. **(b) (6), (b) (7)(C)**

40. (b) (6), (b) (7)(C)  41. (b) (6), (b) (7)(C)  42. (b) (6), (b) (7)(C)  43. (b) (6), (b) (7)(C)  44. (b) (6), (b) (7)(C)  45. (b) (6), (b) (7)(C)	(b) (6	5), (b) (7)(C)			
42. (b) (6), (b) (7)(C)  43. (b) (6), (b) (7)(C)  44. (b) (6), (b) (7)(C)	40.	(b) (6), (b)	(7)(C)		
42. (b) (6), (b) (7)(C)  43. (b) (6), (b) (7)(C)  44. (b) (6), (b) (7)(C)					
42. (b) (6), (b) (7)(C)  43. (b) (6), (b) (7)(C)  44. (b) (6), (b) (7)(C)	41.	(b) (6), (b)	(7)(C)		
43. (b) (6), (b) (7)(C)  44. (b) (6), (b) (7)(C)					
43. (b) (6), (b) (7)(C)  44. (b) (6), (b) (7)(C)	42.	(b) (6), (b)	(7)(C)		J
44. (b) (6), (b) (7)(C)					
	43.	(b) (6), (b)	(7)(C)		
45. (b) (6), (b) (7)(C)	44.	(b) (6), (b)	(7)(C)		
	45.	(b) (6), (b)	(7)(C)		

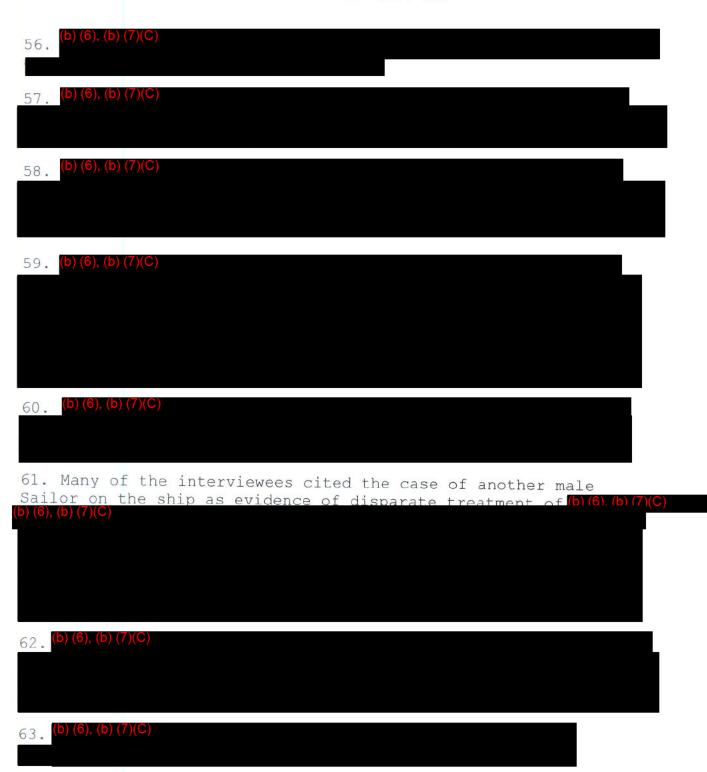
# Consistency of Liberty Risk Program

- 46. Most of the crewmembers interviewed think assignments to the Liberty Risk program were inconsistent or unfair. Almost all of the crewmembers specifically cited (b)(6),(b)(7)(C) case (b)(6),(b)(7)(C) but were not able to cite any other specific examples. [encls (2), (4)-(9), (11)-(17), (22), (23)]
- 47. The ship maintains a Liberty Risk Instruction, which directs the Command Master Chief to run the program. [encl (30)]

- 48. Most of the interviewed crewmembers knew the Command Master Chief was in charge of the program, but few could accurately describe how the program worked. [encls (2)-(17), (20), (22)]
- 49. The instruction requires the Command Master Chief to hold a review board at least once every two weeks -- or sooner based on a foreign port visit -- with at least two other disinterested Chief Petty Officers and the Command Master-at-Arms (CMAA) also present. [encl (30)]
- 50. The recommendations of the Liberty Risk Board are forwarded via memorandum to the Commanding Officer for a final determination, who indicates a decision on a written memorandum. Members placed on -- or removed from -- Liberty Risk are notified via memorandum. [encl (30)]
- 51. Most of the Liberty Risk Boards in 2012 did not include the CMAA, did not occur within the required timeframes, and/or were not fully documented. [encl (29)]
- 52. While some of the Commanding Officer's decisions were documented on generic memoranda, the news of the decisions was usually relayed to the Sailors by the CMAA, who was not present at the Board and not privy to the underlying reasons for the Liberty Risk determination. [encls (18), (21)]
- 53. The Commanding Officer believed that the Command Master Chief briefed every Sailor on the reasons for their Liberty Risk assignment. He was surprised to find out this was not the case. [encl (26)]

# 54. **(b)** (6), (b) (7)(C)

55. **(b) (6), (b) (7)(C)** 



#### (b) (6), (b) (7)(C)

Fraternization Onboard and Off the Ship:

- 64. **(b) (6)**, **(b) (7)(C)**
- 65. **(b)** (6), (b) (7)(C)
- 66. **(b) (6)**, **(b) (7)(C)**
- 67. **(b)** (6), (b) (7)(C)

dismissed at a DRB. [encls (4), (9)-(11)]

- 68. When asked about cases of fraternization that the command had not acted on, many of the interviewees pointed to unfounded rumors, but no specifics. [encls (2), (4), (5), (9), (10), (23)]
- 69. **(b) (6)**, **(b) (7)(C)**
- 70. **(b) (6), (b) (7)(C)**
- 71. (b) (6), (b) (7)(C)
- 72. The command investigated allegations of the fraternization (b) (6), (b) (7)(C)

but could not uncover any credible evidence. [encl (19)]

73. The command is also currently investigating two additional cases. The names under investigation matched those provided by

the junior Sailor mentioned in Finding of Fact #70. [encls (5), (19)]

- 74. When asked about fraternization between married crewmembers and local nationals, every interviewee except the Executive Officer, a Department Head, and the (b)(6) immediately stated that the Commanding Officer had an Italian Girlfriend. [encls (2)-(23)]
- 75. The rumors were widespread and known by all except the three members mentioned in the previous finding of fact. [encls (2)-(23)]
- 76. One Chief Petty Officer specifically reported the rumors to the Command Master Chief. [encl (15)]
- 77. The Command Master Chief did not inquire into how widespread the rumors were, nor did he report the rumors to the Executive Officer. [encls (18), (19)]
- 78. Had the Executive Officer known about the rumors, he states he would have reported their existence to the Commanding Officer. [encl (19)]
- 79. Several of the Sailors specifically named the girlfriend as (b)(6) or "a local national (b)(6) [encls (7), (8), (10), (15), (23)]
- 80. Five Sailors saw the Commanding Officer come to the ship's Movie Night out in Gaeta with (b)(6). The two of them sat next to each other during the movie. [encls (2), (6)-(8), (20)]
- 81. Three Sailors saw the Commanding Officer and (b)(6) eating together at Rendezvous, a local restaurant across the street from the pier, several times. [encls (8), (9), (10)]
- 82. One of those Sailors stated he saw them holding hands for a brief moment across the table during dinner one time. [encl (9)]

- Sub: COMMAND INVESTIGATION INTO HOTLINE COMPLAINT MADE CONCERNING USS MOUNT WHITNEY (LCC 20)
- 83. One of those three Sailors said he also saw them eating together at the sandwich shop on the pier several times. [encl (8)]
- 84. (b)(6) attended command events, including picnics. [encl (24)]
- 85. (b) (6) and the Commanding Officer talked with each other on the pier in Gaeta on more than one occasion. [encl (8)]
- 86. (b) (6) was friends with some of the Sailors' wives and girlfriends on the Family Readiness Group (FRG). (b) (6) reportedly told several of the wives and girlfriends she "had a date with Ted" on more than one occasion. [encls (6), (7)]
- 87. The Commanding Officer -- who lives on the ship -- left the ship on several occasions and did not return until the following morning. [encls (23), (26)]
- 88. One of the Sailors stated that his girlfriend was "Facebook friends" with (b)(6) who often posted that "I have a date tonight" with someone but would not name the person. (b)(6) also posted that she sadly ended a relationship with someone sometime in 2012 but would not name the person. [encl (23)]
- 89. (b)(6) was last seen with the Commanding Officer during the summer of 2012. [encl (8), (24), (26)]
- 90. The officers and senior enlisted who knew about the rumors did not confront the Executive Officer or Commanding Officer about them because they did not want to go forward just based on rumors. [encls (11), (12), (14), (17), (18), (20), (20), (23)]
- 91. The Commanding Officer admitted to having a sexual affair with (b)(6) for approximately three weeks in November-December 2011. He stayed out overnight with her on several occasions. [encl (26)]

- Sub: COMMAND INVESTIGATION INTO HOTLINE COMPLAINT MADE CONCERNING USS MOUNT WHITNEY (LCC 20)
- 92. The Commanding Officer ended the affair when (b) (6) pushed for a more comprehensive relationship. The last time they spoke was during the summer of 2012. [encl (26)]
- 93. The Commanding Officer had a strained relationship with the FRG. He was unable to pinpoint a reason until told of the rumors regarding his inappropriate relationship with (b)(6)
  [encl (26)]

#### Command Climate:

- 94. As required by reference (c), Captain Williams conducted a Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (DEOCS) in December 2011 within ninety days of his change of command. [encl (14)]
- 95. The DEOCS documented complaints of negative morale stemming from the previous chain of command as discussed by some of the interviewees. [encls (3), (4), (6), (11)]
- 96. Following the Command Climate Survey, the ship's Command Assessment Team (CAT) conducted two focus groups regarding fraternization and communications up and down the chain of command. [encl (14)]
- 97. The CMEO could not produce any documentation of the focus groups, or specific plan of action thereafter. [encls (14)]
- 98. Soon after the December 2011 DEOCS occurred, the Command Training Team (CTT) and CAT ceased to function. The CMEO provided no reason for this inaction. [encl (8), (14)]
- 99. Some of the interviewees stated that the command climate onboard the ship is still problematic, citing poor information flow up and down the chain of command. [encls (7), (10), (15), (17), (21), (22)]
- 100. Many of the interviewees also pointed to the lack of support services in Gaeta, and the difficulty for young single Sailors to live in an isolated area as reason for low morale. [encls (12), (19), (21)]

- Sub: COMMAND INVESTIGATION INTO HOTLINE COMPLAINT MADE CONCERNING USS MOUNT WHITNEY (LCC 20)
- 101. Reference (c) requires an annual DEOCS. Thus, the ship must conduct one by December 2012. [encl (14)]
- 102. Not knowing the specific requirement, many of the interviewees believed that the next DEOCS was overdue. Some of the interviewees heard that a climate survey was being contemplated, but did not know why it had not been conducted. [encls (2), (7), (9), (10), (17), (22), (23)]
- 103. The CMEO planned to conduct the annual DEOCS in September or October, but the DEOMI website stopped functioning on 19 September 2012. As of the date of this investigation, the website is still under repair and cannot be accessed. [encls (14), (31)]
- 104. Only a few interviewees knew DEOMI's non-functioning website was the reason a DEOCS had not been conducted. [encls (2)-(23)]

#### Opinions

# Consistency in Non-judicial Punishment

- 1. All cases processed at DRB, XOI or non-judicial punishment hearings onboard the ship in 2012 complied with applicable statutes, regulations and Navy policy. I uncovered no specific case decided in a manner that violated established procedures. [FF 4, 5, 10-12 17-26, 28-33, 35, 37-40]
- 2. A confluence of several circumstances contributed to a perception of inconsistency amongst the crew:
  - (b) (5), (b) (6), (b) (7)(C)
- b. The first two cases (b)(6),(b)(7)(C) were the most egregious. However, the Commanding Officer decided (b)(5),(b)(6),(b)(7)(C) as a way of taking responsibility for training failures. The next three cases were (b)(5),(b)(6),(b)(6),(b)(6),(b)(6),(c)(6),

Officer had just arrived and wanted to give these Sailors a clean slate. [FF 10-12, 16-23]

c. The training value of these cases was not fully realized because the departmental chains of command failed to disseminate the lessons learned at DRB and XOI to their Sailors. Thus, many in the crew - including Chief Petty Officers and junior officers - did not understand the nuances of why the Executive Officer (b) (5), (b) (6). The cases. [FF 8, 9, 15, 17, 34, 36, 37]

(b) (6), (b) (7)(C)

e. The fact that the one case in which the Commanding Officer issued (b)(5),(b)(6),(b)(7)(G) was the least factually egregious contributed to perceptions of inconsistency. [FF 8, 9]

# Consistency in Liberty Risk Program

3. The allegations that Liberty Risk decisions onboard the ship are inconsistent and unfair is unsubstantiated. All of the decisions made during 2012 are supported by credible evidence and comply with the guidance of reference (d). [FF 54-63]



#### (b) (6), (b) (7)(C)

- 5. While all the actual Liberty Risk decisions are supportable by the facts and circumstances of each case, the Command Master Chief did not properly administer the program's processing as a whole during 2012 for the following reasons:
- a. Failure to keep a complete and detailed log of all Liberty Risk decisions. [FF 51]
- b. Failure to fully document each Liberty Risk Board with a Board Recommendation form, Commanding Officer Decision form, and Sailor Notification form. [FF 51, 52, 56, 60]
- c. Failure to hold Boards every two weeks as required in enclosure (30). Further, there was a disconnect between the Commanding Officer who expected Boards to be held every Friday when someone was on Liberty Risk and the Command Master Chief who only endeavored to hold Boards every fifteen days. [FF 56. 60]
- d. Failure to fully inform Sailors of the reasons why they were being placed on, retained on, or removed from Liberty Risk. The Command Master Chief and CMAA only retained Sailor Notification forms in eight of twenty-six cases. [FF 52-53]
- e. Failure to include the CMAA at all but one of the Liberty Risk Boards. This exacerbated the lack of communication to Sailors, as the CMAA was tasked with providing notice to the Sailors of Liberty Risk decisions. However, since the CMAA was not present at the Liberty Risk Boards, he was not privy to the full reasons behind the decisions and could not properly explain the decisions to the Sailors. [FF 52]

# Fraternization

6. The allegation of rampant fraternization onboard the ship is unsubstantiated. The command took action on each case brought to its attention for which evidence was available. The command also investigated all other allegations of fraternization. Each

case is either still under investigation, or was dismissed due to lack of any real evidence. [FF 65-73]

- 7. Only one allegation of "fraternization" between a married crewmember and a local national arose during this investigation, and it is substantiated. The Commanding Officer, a married man, maintained an inappropriate sexual relationship for approximately three weeks in late 2011 with a local national. He engaged in sexual intercourse with her several times during that period, and stayed out in town overnight with her on several occasions. The relationship sparked rampant rumors both onboard the ship amongst Sailors and in the local community amongst spouses of service members and other local nationals. [FF 74-92]
- 8. Almost every member on the ship heard rumors that the Commanding Officer had a local girlfriend. The Executive Officer did not know about the rumors. Had he known, he would have informed the Commanding Officers so the rumors could be addressed. The Command Master Chief did know about the rumors, in fact one Chief Petty Officer specifically reported the rumors to him. However, the Command Master Chief failed to further inquire about the rumors, or report them to the Commanding Officer. [FF 74, 75, 77, 78]
- 9. Aside from innocuous sightings of the Commanding Officer with (b)(6) at a restaurant, Movie Theater and on base, as well as non-specific "Facebook posts," no credible evidence existed confirming the inappropriate relationship until the Commanding Officer admitted his actions to the Investigating Officer. [FF 80-85]
- 10. The Commanding Officer was honest, forthcoming, and displayed utmost integrity during his interview. He did not hesitate in answering all questions about his relationship with (b)(6), even after consulting with a Judge Advocate defense attorney. He had the opportunity to remain silent, but chose to tell the truth even though he was not confronted with any specific credible evidence. He fully recognized the gravity of the circumstances and stated that he was ready to accept whatever consequences for his actions that were deemed necessary. [FF 91-92]

### Command Climate Survey

- 11. The December 2011 DEOCS revealed command climate issues onboard the ship that may not have been adequately addressed. Specifically, interviewees indicated a lack in open communication throughout the Chain of Command. Failure to properly administer the CMEO program, including maintaining an active Command Assessment Team and Command Training Team, exemplifies this lack of communication. [FF 94-104]
- 12. The chain of command planned to conduct a new DEOCS in September or October, but did not because of problems with the DEOMI website. However, the CMEO did not seek out alternate solutions to address command climate surveys during that time. Further, while the CMEO notified some people of the reason for the survey delay, the word failed to reach most of the crew, who were left wondering why a new survey had not been conducted. [FF 102-104]

#### Recommendations



b) (5)

(b) (6), (b) (7)(C)